

Adopted May 5, 1994
Amended March 7, 2006

TOWN OF AMHERST
DESIGN REVIEW BOARD
RULES & REGULATIONS

I. ORGANIZATION

A. Members and Officers

The Design Review Board shall consist of five members. One appointment each shall be made by the Chair of the Planning Board and Historical Commission, subject to the concurrence of a majority of the respective board or commission; and three appointments shall be made by the Chair of the Select Board, subject to the concurrence of a majority of said board.

At least two members will be registered architects, landscape architects or persons with equivalent professional training in a related field of design. At least one member will operate a business or own commercial property within the downtown General Business (B-G) and Limited Business (B-L) zoning districts.

The terms of all appointments to the Design Review Board shall be three years, except that when the Board is originally established, the Select Board shall make two of their appointments for a two year term and the remaining appointment for a one year term. The terms of all appointments shall begin on July 1 of the year in which the appointment is made.

At the first meeting of the Board after July 1 of each year, the Board shall elect a Chair, Vice-Chair and Clerk who will serve until the next election.

B. Powers & Duties of the Chair

The Chair shall vote and be recorded on all matters coming before the Board. The Chair shall decide all points of order, unless overruled by a majority of the Board in session at the time. The Chair shall appoint such committees as may be found necessary.

C. Powers & Duties of the Vice-Chair

The Vice-Chair shall act as the Chair when the Chair is absent, disabled or otherwise unable to perform his/her duties.

D. Powers & Duties of the Clerk

The Clerk shall be responsible for all clerical work of the Board, including all Board correspondence and the taking of minutes of all Board meetings, which shall include the recording of all actions and votes of the Board. The Clerk shall act as Chair when both the Vice-Chair and Chair are absent or otherwise unable to perform their duties.

E. Quorum

Three members shall constitute a quorum. When a quorum is present, the vote of a majority of those present shall decide all questions, including the election of officers. A quorum may vote in advance to make design recommendations or decide other matters before the Board by consensus rather than vote, but all matters in dispute shall require a vote, with the request of a single member being sufficient to require a vote to decide a question.

F. Meetings

The Design Review Board shall hold meetings at least once each month, or on a regular schedule of approximately two week intervals, and may schedule such other meetings as may be necessary. All meetings shall be open to the public on accordance with M.G.L. Chapter 39, Section 23. A notice of each meeting shall be filed with the Town Clerk and publicly posted at least 48 hours prior to the meetings.

The agenda for meetings shall be drawn up by the Planning Department and distributed to the members of the Board, the Building Commissioner, Town Clerk, Town Manager, local media and others as necessary and appropriate. Notices of meetings shall also be mailed to applicants for design review at least 48 hours prior to the meeting.

II. APPLICATIONS TO THE DESIGN REVIEW BOARD

A. Application Form

All applications to the Design Review Board shall be made on the form entitled Application for Design Review. This form shall be available from the Planning Department. Any communication purporting to be an application shall be treated as merely advisory and no notice shall be deemed to have

been given until such time that the official form is completely filled out and properly filed, along with the required application fee.

B. Filing

All applications shall be submitted to the Planning Department along with any site or building information that is required by the Design Review Board. Upon receipt of a complete application, the Planning Department shall immediately transmit the application and appurtenant material to the Building Commissioner.

C. Contents of Application Materials

All applications to the Design Review Board shall include the following information, as applicable, in addition to any other site plans or building information that is required as part of an application for a Site Plan Review, Special Permit, Variance or building permit.

- I. New Construction - Site plans, landscape and planting plans and building plans showing elevations of all building facades which are visible from adjacent street(s) that the building fronts upon and including details concerning the surface materials, colors, windows, doors, signs, light fixtures and other appurtenant elements.

The Design Review Board may, at its discretion, require a three dimensional model of the project.

2. Expansion or alteration of an existing building or site - Site plans, landscape and planting plans and building plans to include color photographs of each existing building facade or landscape perspective visible from the adjacent street(s), plans showing elevations of each building facade or landscape perspective proposed to be changed and details showing existing and proposed surface materials, colors, windows, doors, signs, light fixtures, landscape and plant materials and other appurtenant elements.
3. Signs - Information concerning the size, materials, colors letter[type] font, symbols or logos, lighting and location of proposed signs.

For new construction, elevations of facades including signs shall be provided. For existing buildings or sites, color photographs of the building or site shall be provided.

4. At the discretion of the Design Review Board, any of the submission requirements in the above sections may be modified or waived.

D. Fee

All applications for design review shall be accompanied by a fifty dollar (\$50) application fee, made payable to the Town of Amherst, and submitted to the Office of the Town Collector.

III. DISPOSITION BY THE BOARD

- A. The Board shall schedule a review of all applications at its next available regular meeting, provided that the application is received at least 4 working days before the meeting.
- B. All recommendations by the Design Review Board shall be transmitted to the Building Commissioner, the Planning Board or the Zoning Board of Appeals and the Applicant within 4 working days after the meeting in which the application is reviewed.
- C. The Board's recommendations may be final, including specifications and conditions, or it may require the applicant to resubmit to the Board new designs or plans.
- D. The Board shall act upon all applications within 35 days of their receipt by the Planning Department. Failing such action, an application shall be deemed to have been approved by the Board, and notice of such approval shall be sent by the Planning Department to the Building Commissioner, the Applicant and other town boards as appropriate. Any applicant may grant to the Board, in writing, one or more extensions to this 35 day deadline, in order that an adequate and proper review may be conducted.

IV. DESIGN GUIDELINES

- A. The Design Review Principles and Standards set forth in Sections 3.204, 3.2040 and 3.2401 of the Amherst Zoning Bylaw are the principle design guidelines to be used by the Design Review Board during review of all applications.
- B. Section 3.2401, Design Standards, of the Amherst Zoning Bylaw, sets forth nine specific elements of design (height, proportions, relations of structures and spaces, shape, landscape, scale directional expression, architectural and site details and signs). Taken together, the nine elements compose four larger, unifying design characteristics of a building or site--structure, relation, progression and detail.

Section 3.2401 requires the Board to consider the nine design elements in reviewing new applications, determining whether or not these elements in the proposed new design met the standard of being compatible with the same elements in the surrounding buildings and landscapes. Compatibility is thus an important design standard and a guideline requiring definition and direction.

- c. The Board shall consider the design compatibility of each application, in the following ways:
 - 1. A proposed design shall be considered compatible when it is capable of existing together in visual and functional harmony with the nine specific design elements and unifying design characteristics--structure, relation, progression and detail--of its existing surroundings.
 - 2. A proposed design may respond to or incorporate specific design elements or general design characteristics present in the architecture and landscape of its surroundings, including features that are specific to existing historic character, aesthetic period or style. However, a design need not imitate, replicate or be restricted to existing design elements or characteristics in order to be considered compatible.
 - 3. A compatible design should be able to fit into and exist together with its surroundings without destroying, covering, overwhelming, negating or otherwise impairing the quality and viability of existing design elements or overall design characteristics.

4. A compatible design should also seek to enhance and improve the design of its surroundings, shaping an evolving physical environment that is attractive, unified and functional, while remaining diverse, unique and representative of the social and cultural character of Amherst. To be compatible, new design should thus reflect the combined community traditions of striving for excellence--preserving and enhancing the best of the old while embracing the new.